

**AN ORDINANCE  
AUTHORIZING ATTENDANCE AT MEETINGS BY  
TELEPHONIC OR OTHER ELECTRONIC MEANS**

WHEREAS, pursuant to the Open Meetings Act, 5 ILCS 120/7; the Town Board is authorized to adopt rules to govern attendance of the members of the Board at meetings by telephonic or other electronic means; and,

WHEREAS, the Town Board desires to adopt such rules at this time to allow participation of the Supervisor and/or Trustees in meetings of the Board of Trustees, under circumstances otherwise allowed by state law

NOW THEREFORE, BE IT ORDAINED BY THE SUPERVISOR AND BOARD OF TRUSTEES, OF ELGIN TOWNSHIP, KANE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The following rules are hereby adopted in regard to and for the purpose of governing attendance at meetings of the Board of Trustees by telephonic and other electronic means, in words and figures as follows:

A. Quorum. A majority of the members of the Board of Trustees, including the Supervisor and Trustees, shall constitute a quorum to conduct business at any meeting of the Board of Trustees, as defined by law. 5 ILCS 120/1.02.

B. Attendance. Any member of the Board of Trustees may attend any open meeting of the Board of Trustees by conference telephone call or other electronic means, provided that such attendance is in compliance with the following rules and any applicable laws of the State of Illinois:

1. A quorum of the Supervisor and Board of Trustees shall be physically present at the place of the meeting; and a motion shall be made and seconded, and approved by majority vote of the members present, to allow such attendance by telephonic or other electronic means, as set forth in Section B(5) below;

2. The member not physically present shall notify the Clerk of his/her inability to be physically present not less than 48 hours before the start time of the meeting, unless it is impractical to do so.

3. The member requesting to attend the meeting by telephonic or other electronic means must assert in his/her notice to the Clerk one of the following four (4) reasons why he/she is unable to physically attend the meeting:

(a) The member cannot physically attend the meeting because of personal illness or disability; or

(b) The member cannot physically attend the meeting because of employment purposes or because of Township business; or

(c) The member cannot physically attend the meeting because of a family-related or other bona fide emergency; or

(d) The member cannot physically attend the meeting because of unexpected childcare obligations.

4. The Clerk shall promptly after receiving the request for attendance by telephonic or other electronic means for a meeting inform the Supervisor of the request.

5. At the meeting in question, after a roll call has established that a quorum is physically present, the presiding officer shall report to the quorum present the identity of each person making the request to attend by telephonic or other electronic means, and the reason for each such request. The member making the request shall be deemed authorized to attend the meeting by telephonic or other electronic means if a motion is then duly made and seconded to allow the member's attendance by telephonic or other electronic means; and by vote of a majority of those present, the motion then passes. Provided, if the member requesting to attend via telephonic or other electronic means is the Supervisor, then the members physically present shall first by motion and vote designate a member physically present to act as temporary chair of the meeting for purposes of maintaining order in the meeting room.

6. The member attending the meeting by telephonic or other electronic means, and the other members of the Board of Trustees, must be able throughout the meeting to communicate among themselves effectively, and members of the audience must be able to hear all communications at the meeting site.

7. Any member attending by telephonic or other electronic means shall be counted as present by telephonic or other electronic means for the meeting. The meeting minutes shall identify each remote attendee, and state specifically whether each member is physically present or present by telephonic or other electronic means.

8. Any member permitted to attend a meeting by telephonic or other electronic means shall be allowed to participate in the meeting the same as those members physically present, subject to all general meeting guidelines and procedures. A member attending a meeting by telephonic or other electronic means may leave a meeting and return as in the case of any member, provided the member attending by telephonic or other electronic means shall announce his or her leaving and returning.

9. The inability of the Township to make the necessary technical arrangements for effective telephonic or other electronic attendance at the meeting will result in denial of a request for such attendance.

10. In the event that technical difficulties or repeated interruptions of the telephonic or other electronic connection occur during the meeting, then, upon motion duly made and seconded, and approval by vote of a majority of the members physically present, the Board of Trustees may rescind and terminate the authorization of telephonic or other electronic attendance and proceed with the business of the agenda without a delay or taking a recess of the meeting to correct the technical problem, repair the equipment, or otherwise overcome the cause of the difficulties or interruptions.

Section 2. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded and waived.

Section 3. If any section, subdivision, sentence or phrase of this Ordinance is for any reason held to be void, invalid, or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon passage and approval as provided by law.

ADOPTED THIS 13<sup>th</sup> DAY OF NOVEMBER, 2023, pursuant to roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED THIS 13<sup>th</sup> DAY OF NOVEMBER, 2023.

\_\_\_\_\_  
Kenneth Bruderle  
Supervisor

ATTEST:

\_\_\_\_\_  
Karen Dowling  
Township Clerk